

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS, HOUSTON DIVISION**

MARANDA LYNN O'DONNELL, et al.)	
)	
Plaintiffs,)	
)	
v.)	Case No. 16-cv-01414
)	(Consolidated Class Action)
HARRIS COUNTY, TEXAS, et al.)	The Honorable Lee H. Rosenthal
)	U.S. District Judge
Defendants.)	
)	

NOTICE OF FILING OF EXPERT REPORT IN RESPONSE TO THE OGG REPORT

Counsel for the Plaintiff Class in *ODonnell* are aware that the Harris County District Attorney has generated and broadly disseminated a report purporting to show that misdemeanor bail reform has caused a violent crime wave in Harris County, and that the independent Federal Court Monitors have misled the Court about the positive effects of the *ODonnell* Consent Decree. *See* Exhibit 1 (Bail, Crime & Public Safety) (“the Ogg Report”). In response to the District Attorney’s accusations, Plaintiffs submit this expert report by Dr. Stephen Demuth, a researcher whom this Court previously recognized as an expert qualified to opine on pretrial data and pretrial systems. *ODonnell v. Harris County*, 251 F. Supp. 3d 1052, 1067 (S.D. Tex. 2017), *aff’d as modified*, 882 F.3d 528 (5th Cir. 2018), and *aff’d as modified sub nom. ODonnell v. Harris Cty.*, 892 F.3d 147 (5th Cir. 2018). Dr. Demuth analyzes the Ogg Report and the independent Federal Court Monitors’ reports and concludes that the Monitors’ reports are far more accurate and reliable than the Ogg Report, which manipulates data in order to “confirm” the anecdotal impressions of the District Attorney’s Office, *see* Ex. 1 at 3, and which suffers from bias and conflicts of interest that undermine the reliability of its purported findings, *see* Appendix 1 (Expert Report in Response to District Attorney Kim Ogg’s Report on “Bail, Crime & Public Safety”).

Date: September 24, 2021

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on the 24th day of September 2021, I electronically filed the foregoing with the clerk of the court for the U.S. District Court, Southern District of Texas, using the electronic case filing system of the Court. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Elizabeth Rossi

Elizabeth Rossi